



K. Chad Burgess  
Director & Deputy General Counsel

[chad.burgess@scana.com](mailto:chad.burgess@scana.com)

August 17, 2018

**VIA ELECTRONIC FILING**

The Honorable Jocelyn G. Boyd  
Chief Clerk/Administrator  
**Public Service Commission of South Carolina**  
101 Executive Center Drive  
Columbia, South Carolina 29210

**RE: Friends of the Earth and Sierra Club, Complainant/Petitioner v.  
South Carolina Electric & Gas Company, Defendant/Respondent  
Docket No. 2017-207-E**

**Request of the Office of Regulatory Staff for Rate Relief to South  
Carolina Electric & Gas Company's Rates Pursuant to S.C. Code  
Ann. § 58-27-920  
Docket No. 2017-305-E**

**Joint Application and Petition of South Carolina Electric & Gas  
Company and Dominion Energy, Incorporated for Review and  
Approval of a Proposed Business Combination between SCANA  
Corporation and Dominion Energy, Incorporated, as May Be  
Required, and for a Prudency Determination Regarding the  
Abandonment of the V.C. Summer Units 2 & 3 Project and  
Associated Customer Benefits and Cost Recovery Plans  
Docket No. 2017-370-E**

Dear Ms. Boyd:

Enclosed for filing on behalf of South Carolina Electric & Gas Company ("SCE&G") in the above-referenced dockets is SCE&G's Motion for Leave to File Revised Privilege Log Under Seal.

By copy of this letter and per the electronic service agreement in the above-captioned documents, we are providing the other parties of record with a copy of the enclosed motion and attach a certificate of service to that effect.

(Continued ...)

The Honorable Jocelyn G. Boyd  
August 17, 2018  
Page 2

---

If you have any questions, please advise.

Very truly yours,



K. Chad Burgess

KCB/kms  
Enclosures

cc: **All Parties of Record in Docket No. 2017-370-E**  
**All Parties of Record in Docket No. 2017-305-E**  
**All Parties of Record in Docket No. 2017-207-E**  
(all via electronic mail w/enclosure)

ELECTRONICALLY FILED - 2018 August 17 3:52 PM - SCPSC - Docket # 2017-207-E - Page 3 of 11

**IN RE:** Friends of the Earth and Sierra Club, )  
Complainant/Petitioner vs. South Carolina )  
Electric & Gas Company, )  
Defendant/Respondent )

**IN RE:** Request of the South Carolina Office of Regulatory Staff for Rate Relief to SCE&G Rates Pursuant to S.C. Code Ann. § 58-27-920 )  
 )  
 )  
 )  
 )  
 )

**MOTION FOR LEAVE TO FILE REVISED PRIVILEGE LOG UNDER SEAL**

**IN RE:** Joint Application and Petition of South Carolina Electric & Gas Company and Dominion Energy, Incorporated for Review and Approval of a Proposed Business Combination between SCANA Corporation and Dominion Energy, Incorporated, as May Be Required, and for a Prudency Determination Regarding the Abandonment of the V.C. Summer Units 2 & 3 Project and Associated Customer Benefits and Cost Recovery Plans

ORS and SCE&G have moved for leave to file under seal two previous versions of this privilege log. On August 8, 2018, ORS, in connection with its pending motion for sanctions and

to compel, moved for leave to file under seal the original privilege log that SCE&G submitted to ORS on July 6, 2018. The Hearing Officer granted that motion on August 9, 2018. *See Order No. 2018-106-H.* On August 14, 2018, SCE&G filed a motion for leave to file under seal a revised version of that same log, which SCE&G had submitted to ORS on August 10, 2018. The Hearing Officer granted leave to file the revised log under seal on August 15, 2018. *See Order No. 2018-111-H.*

The current document that SCE&G seeks leave to file is a further revision of the July 6, 2018 and August 10, 2018 privilege logs. As SCE&G explained in its August 14, 2018 response to ORS's motion for sanctions and to compel, in an effort to accommodate ORS and avoid an unnecessary dispute over discovery, SCE&G re-evaluated entries on its privilege log relating to ORS Request 5-26 and determined that certain of those documents could be produced as non-privileged. The August 16, 2018 privilege log reflects the approximately 230 documents that SCE&G has de-designated as privileged and will produce to ORS.

Like ORS's and SCE&G's motions for leave to file the previous versions of this privilege log under seal, this motion and the subject document meet the factors for sealing documents set out in Rule 41.1(b), SCRCP. Specifically:

1. Public notice of the request to seal and opportunity to object is provided by this publicly filed motion and its description of the documents sought to be filed under seal.
2. As with the July 6, 2018 and August 10, 2018 privilege logs, the entire August 16, 2018 privilege log is confidential, making redaction not practical and filing under seal appropriate.
3. The document contains sensitive and confidential information protected from public disclosure, as SCE&G indicated by designating the August 16, 2018 privilege log as "confidential" pursuant to S.C. Code § 58-4-55.

SCE&G respectfully submits that it is important for the Hearing Officer to have an opportunity to review the revised August 16, 2018 privilege log, as the log substantiates SCE&G's statement in its August 14, 2018 response that it would reevaluate and produce certain entries on its privilege log relating to Request 5-26. The log demonstrates that SCE&G, in an effort to avoid further litigation of this issue with ORS, has removed over 230 such entries from its log.

For these reasons, SCE&G respectfully requests that the Commission grant this motion and permit SCE&G to file the August 16, 2018 privilege log under seal for the Commission's *in camera* review. SCE&G will provide the document under separate cover to the Commission if the Commission so directs.

**[SIGNATURE PAGE TO FOLLOW]**

Respectfully submitted,



K. Chad Burgess  
Matthew W. Gissendanner  
South Carolina Electric & Gas Company  
Mail Code C222  
220 Operation Way  
Cayce, SC 29033  
(803) 217-8141 (KCB)  
(803) 217-5359 (MWG)  
chad.burgess@scana.com  
matthew.gissendanner@scana.com

Belton T. Zeigler  
Womble Bond Dickinson (US) LLP  
1221 Main Street, Suite 1600  
Columbia, SC 29201  
(803) 454-7720  
belton.zeigler@wbd-us.com

Mitchell Willoughby  
Willoughby & Hoefer, P.A.  
Post Office Box 8416  
Columbia, SC 29202  
(803) 252-3300  
mwilloughby@willoughbyhoefer.com

*Attorneys for South Carolina Electric & Gas  
Company*

Cayce, South Carolina

August 17, 2018

ELECTRONICALLY FILED - 2018 August 17 3:52 PM - SCPSC - Docket # 2017-207-E - Page 7 of 11

IN RE:	Friends of the Earth and Sierra Club,	)	<b>CERTIFICATE OF SERVICE</b>
	<b>Complainant/Petitioner v. South</b>	)	
	<b>Carolina Electric &amp; Gas Company,</b>	)	
	<b>Defendant/Respondent</b>	)	
		)	
		)	
IN RE:	Request of the South Carolina Office of	)	
	Regulatory Staff for Rate Relief to	)	
	SCE&G Rates Pursuant to S.C. Code	)	
	Ann. § 58-27-920	)	
		)	
		)	
IN RE:	Joint Application and Petition of South	)	
	Carolina Electric & Gas Company and	)	
	Dominion Energy, Incorporated for	)	
	Review and Approval of a Proposed	)	
	Business Combination between SCANA	)	
	Corporation and Dominion Energy,	)	
	Incorporated, as May Be Required, and	)	
	for a Prudency Determination	)	
	Regarding the Abandonment of the V.C.	)	
	Summer Units 2 & 3 Project	)	
	and Associated Customer Benefits and	)	
	Cost Recovery Plans	)	

**This is to certify that I caused to be served one (1) copy of South Carolina Electric & Gas Company's Motion for Leave to File Revised Privilege Log Under Seal to the persons named below via electronic mail only at the addresses set forth:**

Nanette S. Edwards, Esquire  
[nsedwar@regstaff.sc.gov](mailto:nsedwar@regstaff.sc.gov)

Shannon Bowyer Hudson, Esquire  
[shudson@regstaff.sc.gov](mailto:shudson@regstaff.sc.gov)

Jeffrey M. Nelson, Esquire  
[jnelson@regstaff.sc.gov](mailto:jnelson@regstaff.sc.gov)

Jenny R. Pittman, Esquire  
[jpittman@regstaff.sc.gov](mailto:jpittman@regstaff.sc.gov)

Andrew M. Bateman, Esquire  
[abateman@scana.com](mailto:abateman@scana.com)

Robert Guild, Esquire  
[bguild@mindspring.com](mailto:bguild@mindspring.com)

Frank K. Ellerbe III, Esquire  
[fellerbe@sowellgray.com](mailto:fellerbe@sowellgray.com)

John H. Tiencken, Jr. Esquire  
[jtiencken@tienckenlaw.com](mailto:jtiencken@tienckenlaw.com)

W. Andrew Gowder, Jr., Esquire  
[andy@austengowder.com](mailto:andy@austengowder.com)

Michael N. Couick, Esquire  
[mike.couick@ecsc.org](mailto:mike.couick@ecsc.org)

Christopher R. Koon, Esquire  
[chris.koon@ecsc.org](mailto:chris.koon@ecsc.org)

Robert E. Tyson, Jr., Esquire  
[rtyson@sowellgray.com](mailto:rtyson@sowellgray.com)

Scott Elliott, Esquire  
[selliott@elliottlaw.us](mailto:selliott@elliottlaw.us)

Elizabeth Jones, Esquire  
[ejones@selcsc.org](mailto:ejones@selcsc.org)

J. Emory Smith, Jr., Esquire  
[esmith@scag.gov](mailto:esmith@scag.gov)



Richard L. Whitt, Esquire  
[rlwhitt@austinrogerspa.com](mailto:rlwhitt@austinrogerspa.com)

James R. Davis, Esquire  
[jim@jdavispc.com](mailto:jim@jdavispc.com)

John B. Coffman, Esquire  
[john@johncoffman.net](mailto:john@johncoffman.net)

Emily W. Medlyn, Esquire  
[emily.w.medlyn.civ@mail.mil](mailto:emily.w.medlyn.civ@mail.mil)

Matthew R. Richardson, Esquire  
[mrichardson@wyche.com](mailto:mrichardson@wyche.com)

Camden N. Massingill, Esquire  
[cmassingill@wyche.com](mailto:cmassingill@wyche.com)

Susan B. Berkowitz, Esquire  
[sberk@scjustice.org](mailto:sberk@scjustice.org)

Stephanie U. Eaton, Esquire  
[sroberts@spilmanlaw.com](mailto:sroberts@spilmanlaw.com)

Alexander G. Shiassis, Esquire  
[alex@shissiaslawfirm.com](mailto:alex@shissiaslawfirm.com)

William T. Dowdey  
[wtdowdey@gmail.com](mailto:wtdowdey@gmail.com)

Christopher S. McDonald, Esquire  
[cmcdonald@tienckenlaw.com](mailto:cmcdonald@tienckenlaw.com)

Derrick P. Williamson, Esquire  
[dwilliamson@spilmanlaw.com](mailto:dwilliamson@spilmanlaw.com)

Damon E. Xenopoulos, Esquire  
[dex@smxblaw.com](mailto:dex@smxblaw.com)

J. Blanding Holman, IV, Esquire  
[Bholman@selcsc.org](mailto:Bholman@selcsc.org)

Frank Knapp, Jr.  
[fknapp@knappagency.com](mailto:fknapp@knappagency.com)

Lynn Teague  
[TeagueLynn@gmail.com](mailto:TeagueLynn@gmail.com)

Robert D. Cook, Esquire  
[bcook@scag.gov](mailto:bcook@scag.gov)

Michael R. Rose, Esquire  
[mrose5@sc.rr.com](mailto:mrose5@sc.rr.com)

Lara B. Brandfass, Esquire  
[lbrandfass@spilmanlaw.com](mailto:lbrandfass@spilmanlaw.com)

Wallace K. Lightsey, Esquire  
[wlightsey@wyche.com](mailto:wlightsey@wyche.com)

Timothy F. Rogers, Esquire  
[tfrogers@austinrogerspa.com](mailto:tfrogers@austinrogerspa.com)

Michael J. Anzelmo, Esquire  
[michaelanzelmo@schouse.gov](mailto:michaelanzelmo@schouse.gov)

James N. Horwood, Esquire  
[james.horwood@spiegelmcd.com](mailto:james.horwood@spiegelmcd.com)

Stephen Pearson, Esquire  
[steve.pearson@spiegelmcd.com](mailto:steve.pearson@spiegelmcd.com)

William C. Cleveland IV, Esquire  
[wcleveland@selcsc.org](mailto:wcleveland@selcsc.org)

William C. Hubbard, Esquire  
[William.hubbard@nelsonmullins.com](mailto:William.hubbard@nelsonmullins.com)

Peter J. Hopkins, Esquire  
[peter.hopkins@spiegelmcd.com](mailto:peter.hopkins@spiegelmcd.com)

Jessica R. Bell, Esquire  
[jessica.bell@spiegelmcd.com](mailto:jessica.bell@spiegelmcd.com)

James F. Walsh Jr., Esquire  
[jfwwalsh@bellsouth.net](mailto:jfwwalsh@bellsouth.net)

Allen Mattison Bogan, Esquire  
[matt.bogan@nelsonmullins.com](mailto:matt.bogan@nelsonmullins.com)

Benjamin Rush Smith III, Esquire  
[rush.smith@nelsonmullins.com](mailto:rush.smith@nelsonmullins.com)

Carmen Harper Thomas, Esquire  
[Carmen.thomas@nelsonmullins.com](mailto:Carmen.thomas@nelsonmullins.com)

Weston Adams III, Esquire  
[weston.adams@nelsonmullins.com](mailto:weston.adams@nelsonmullins.com)

Dino Teppera, Esquire  
[Dino.teppera@gmail.com](mailto:Dino.teppera@gmail.com)

Adam Protheroe  
[adam@scjustice.org](mailto:adam@scjustice.org)

  
Karen M. Scruggs

Cayce, South Carolina

August 17<sup>th</sup>, 2018